

IC 31-25-3

Chapter 3. Child Support Bureau

IC 31-25-3-1

Child support bureau; compliance; state central collection unit

Sec. 1. (a) The child support bureau is established within the department. The bureau is charged with the administration of Title IV-D of the federal Social Security Act.

(b) The state's plan for the administration of Title IV-D must comply with all provisions of state law and with the federal statutes and regulations governing the program.

(c) The state central collection unit is established within the child support bureau. The unit shall collect all noncash child support payments and process child support paid through income withholding.

As added by P.L.145-2006, SEC.271. Amended by P.L.146-2006, SEC.18; P.L.1-2007, SEC.197.

IC 31-25-3-2

Duties of bureau; access to information

Sec. 2. (a) The bureau shall operate the state parent locator service. The bureau shall make all necessary requests and responses to the federal parent locator service and to the parent locator services of the other states.

(b) To carry out the bureau's responsibilities under this chapter, the bureau or a prosecuting attorney, private attorney, or private entity operating under an agreement or contract described in IC 31-25-4-13.1 shall, subject to policies adopted by the superintendent of the state police department concerning the disclosure of law enforcement records, be granted access to information that is contained in an information system used by the state to locate an individual for purposes relating to motor vehicles or law enforcement.

(c) To carry out the bureau's responsibilities under this chapter, the bureau, through the parent locator service, may request information and assistance from a state, county, city, or town agency. Officers and employees of a state, county, city, or town agency shall cooperate with the bureau in determining the location of a parent who:

- (1) owes child support; or
- (2) has abandoned or deserted a child;

by providing the pertinent information relative to the location, income, and property of the parent, notwithstanding any other statute making the information confidential.

(d) Notwithstanding any other statute making the information confidential, each person doing business in Indiana shall provide the bureau or an agent of the bureau with the following information, if available, upon receipt of the certification described in subsection (e):

- (1) Full name of the parent.
- (2) Social Security number of the parent.
- (3) Date of birth of the parent.

- (4) Address of the parent's residence.
- (5) Amount of wages earned by the parent.
- (6) Number of dependents claimed by the parent on state and federal tax withholding forms.
- (7) Name and address of the parent's employer.
- (8) Name and address of any financial institution maintaining an account for the parent.
- (9) Address of any real property owned by the parent.
- (10) Name and address of the parent's health insurance carrier and health coverage policy number.

(e) The parent locator service shall certify that the information requested in subsection (d) is for the purpose of locating a parent who owes child support or who has abandoned a child and that the information obtained is to be treated as confidential by the bureau and any other state to which the information is released.

(f) A business in Indiana and each unit of state and local government shall comply with an administrative subpoena issued by a Title IV-D agency in another jurisdiction. The information requested may not be provided unless the Title IV-D agency of the other jurisdiction certifies that the information will be treated as confidential. The business or unit of government shall provide the Title IV-D agency of the other jurisdiction with the information listed in subsection (d), if available, if requested in the subpoena, upon certification by the Title IV-D agency of the other jurisdiction that the information is for the purpose of locating a parent who owes child support or who has abandoned or deserted a child.

(g) A person may not knowingly refuse to give the bureau, the bureau's agents, or the Title IV-D agency of another jurisdiction the following:

- (1) The name of a parent of a child for whom the state is providing public assistance.
- (2) Information that may assist the parent locator service or other jurisdiction in locating the parent of a child.

(h) Information obtained under this section may not be used in a criminal prosecution against the informant.

(i) A person may not knowingly give the bureau or the Title IV-D agency of another jurisdiction the incorrect name of a parent of a child or knowingly give the parent locator service incorrect information on the parent's whereabouts for the purpose of concealing the identity of the real parent of the child or the location of the parent.

As added by P.L.145-2006, SEC.271. Amended by P.L.80-2010, SEC.46.

IC 31-25-3-3

Issuance of subpoenas

Sec. 3. The bureau established by section 1 of this chapter or an agent of the bureau may issue a subpoena under Indiana Trial Rule 45 to obtain any financial or other information needed to establish, modify, or enforce a child support order.

As added by P.L.103-2007, SEC.44.

IC 31-25-3-4

Access to information and records; immunity from liability; confidential

Sec. 4. (a) Notwithstanding any other law, the bureau or a prosecuting attorney, private attorney, or private entity that is operating under an agreement or contract described in IC 31-25-4-13.1 is entitled to obtain access, at no cost to the bureau or the prosecuting attorney, private attorney, or private entity that is operating under an agreement or contract described in IC 31-25-4-13.1, to the following records from the following agencies or entities:

- (1) The following records of state and local agencies:
 - (A) Records of birth, marriage, and death.
 - (B) Tax and revenue records, including information related to residence addresses, employers, and assets.
 - (C) Records concerning real and titled personal property.
 - (D) Records of occupational, professional, and recreational licenses or permits.
 - (E) Records concerning the ownership and control of corporations, partnerships, and other business entities.
 - (F) Employment security records.
 - (G) Records of agencies administering public assistance programs.
 - (H) Records of the bureau of motor vehicles.
 - (I) Records of:
 - (i) the department of correction; and
 - (ii) county and municipal correction or confinement facilities.
 - (2) Subject to subsection (d), records of public utilities and cable television companies that relate to persons who owe or are owed support, or against whom a support obligation is sought, including:
 - (A) the person's name and address; and
 - (B) the name and address of the person's employer.
 - (3) Records held by financial institutions as provided under IC 31-25-4-31.
 - (4) Subject to policies adopted by the superintendent of the state police department concerning the disclosure of law enforcement records, any other records of a state or local agency.
- (b) Upon the request of the bureau or a prosecuting attorney, private attorney, or private entity that is operating under an agreement or contract described in IC 31-25-4-13.1, an employer shall provide information related to the employment, earnings, benefits, and residential address and phone number of any employee.
- (c) An agency or entity that possesses records described in subsection (a)(1) and (a)(3) shall provide information and records upon the request of the bureau or a prosecuting attorney, private attorney, or private entity that is operating under an agreement or

contract under IC 31-25-4-13.1. Information described in this subsection shall be provided in response to a subpoena, or the bureau may enter into agreements to provide for electronic access to these records.

(d) An entity listed subsection (a)(2) shall provide the information only in response to a judicial or administrative subpoena issued by the bureau.

(e) An agency or entity described under subsection (a) that provides information under a request or subpoena under this section is not liable for disclosing information under the request or subpoena.

(f) All information received under this section is confidential. The bureau may disclose this information only as provided under IC 31-25-4-21.

As added by P.L.80-2010, SEC.47.